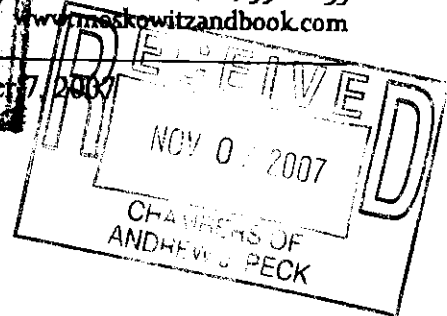
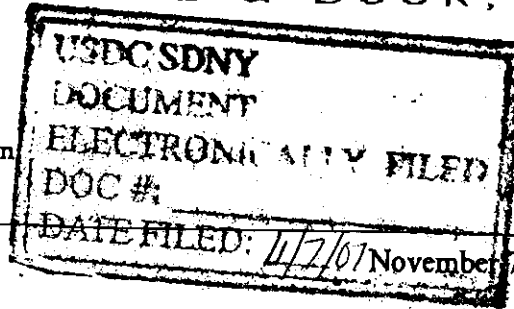




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Hon. Andrew J. Peck
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10017

Re: *Phillip Kassai vs. Drinks America Holdings, Ltd.*, 07-SV-5590 (RMB)(AJP)
Compliance Conference November 20, 2007

Dear Judge Peck:

I write on behalf of both parties regarding the above scheduled conference. Currently the parties have a previously scheduled deposition on the adjourn date of the compliance conference before Your Honor on November 20. We write to request that the conference be adjourned so that the deposition can go forward on that date. The witnesses to be deposed are employed and scheduling of the depositions when all sides are available is challenging.

We have depositions scheduled in this matter November 12th, and 20th and December 4th. In addition, we have a settlement conference before the Honorable Judge Berman on December 3rd at 9:00 am.

This letter is to respectfully request that the compliance conference be adjourned for that same date before Your Honor, if it is convenient to this Court. In the alternative we request November 28 following the Thanksgiving Holiday, if that date is convenient to the Court.

Thank you for your time and consideration.

MEMO ENDORSED 11/7/07

States are opposed at parties' request to 12/3 at 11 AM.

Respectfully submitted,

Susan J. Walsh / by acm

SO ORDERED:

[Signature]
Hon. Andrew Jay Peck
United States Magistrate Judge

Susan J. Walsh, Esq.
Moskowitz and Book, LLP
Attorneys for Plaintiff Kassai

cc: Sheldon H. Gopstein, Esq. *[Signature]*

BY FAX

FAX TRANSMITTAL SHEET



**ANDREW J. PECK
UNITED STATES MAGISTRATE JUDGE
UNITED STATES DISTRICT COURT**

Southern District of New York
United States Courthouse
500 Pearl Street, Room 1370
New York, N.Y. 10007-1312

Fax No.: (212) 805-7933
Telephone No.: (212) 805-0036

Dated: November 7, 2007

Total Number of Pages: 2

TO	FAX NUMBER
Susan J. Walsh, Esq.	212-398-8835
Sheldon H. Gopstein, Esq.	212-363-3313

TRANSCRIPTION:

MEMO ENDORSED 11/7/07

Status conf. adjourned at parties' request to 12/3 at 11 AM.

Copy to: Judge Richard M. Berman